

**Flamm Walton** PC  
ATTORNEYS AT LAW

F. EMMETT FITZPATRICK, III

267-419-1505

feitzpatrick@flammlaw.com

Admitted to Practice  
PA, NJ & CA

794 Penllyn Pike

Blue Bell, PA 19422-1669

267-419-1500

267-419-1560 Fax

www.flammlaw.com

4905 West Tilghman Street, Suite 310

Allentown, PA 18104-9133

610-336-6800

610-336-0167 Fax

750 Route 73 South, Suite 301

Marlton, NJ 08053-4191

856-810-2299

856-810-2266 Fax

June 14, 2013

Hon. Jerome B. Simandle, Chief Judge  
Mitchell H. Cohen U.S. Courthouse  
One John F. Gerry Plaza  
4th & Cooper, Room 6101  
Camden NJ 08101-0888

VIA ECF FILING SYSTEM

Re: City Select Auto Sales, Inc. v. David Randall Associates, Inc., *et al.*  
Civil Action No: 1:11-CV-02658-JBS-KMW

Dear Judge Simandle:

Please consider this a letter motion to modify the discovery and scheduling Order that the Court entered on May 22, 2013.

The depositions of Ryan Kelly, Esq., and Brian Wanca, Esq., were scheduled to be completed by the deadline set forth in the above Order, but Mr. Kelly cancelled his the night before. The earliest alternative date that he has provided which is mutually-available is July 11th. However, that date is beyond the Court's present deadlines for both the completion of Mr. Kelly's deposition and the filing of the Defendants' Response to the Plaintiff's Renewed Motion for Class Certification. Accordingly, we respectfully request that the Court reset the deadline for completion of Mr. Kelly's deposition until July 11, 2013, and the deadline for submission of the Defendants' Response to July 25, 2013.

Counsel for the Plaintiff does not oppose this request. Copies of his emails about the matter are attached. Thank you for your consideration.

Sincerely,



F. EMMETT FITZPATRICK, III

cc: Alan Milstein, Esq. (via ECF Filing System)

Tod A. Lewis, Esq./Jonathan B. Piper, Esq. (via ECF Filing System)

So Ordered this 17<sup>th</sup> day  
June, 2013

KAREN M. WILLIAMS  
UNITED STATES MAGISTRATE JUDGE